

1 Dustin L. Clark, Esq. (Bar #10548)
2 Dustin L. Clark, Attorney at Law
3 11700 W. Charleston Blvd., #170-479,
4 Las Vegas, NV 89135
5 Tel: (702) 791-0308
6 Email: dustin@clarklawcounsel.com

7 Stacey A. Campbell, (Colorado Bar #38378)
8 (*Admitted Pro Hac Vice*)
9 Stacey@Campbell-Litigation.com
10 Alison Lungstrum Macneill, (Colorado Bar #51689)
11 (*Admitted Pro Hac Vice*)
12 Alison@Campbell-Litigation.com
13 CAMPBELL LITIGATION, P.C.
14 1410 N. High Street
15 Denver, Colorado 80218
16 Tel: (303) 536-1833
17 *Attorneys for Defendant*

18 Mary F. Chapman, Esq. (#6591)
19 LAW OFFICE OF MARY F. CHAPMAN, LTD.
20 8440 W. Lake Mead Blvd., Suite 203
21 Las Vegas, Nevada 89128
22 Tel: (702) 202-4223
23 Email: maryf.chapman@juno.com
24 *Attorney for Plaintiff*

16 **IN THE UNITED STATES DISTRICT COURT**
17 **FOR THE DISTRICT OF NEVADA**

18 DONNA BROWER,

19 Plaintiff,

20 v.

21 MCDONALD'S CORPORATION, a Foreign
22 Corporation licensed to do business in Nevada,

23 Defendant.

Case No.: 2:19-cv-02099-GMN-BNW

24 **STIPULATION TO EXTEND DEADLINE**

25 **(Sixth Request)**

26 Pursuant to Federal Rules of Civil Procedure 6 and 16(b)(4) as well as L.R. IA 6-1, L.R. IA 6-2
27 and L.R. 7-1, Defendant McDonald's Corporation ("Defendant" or "McDonald's") and Plaintiff Donna
28 Brower ("Plaintiff" or "Brower"), by and through their respective attorneys, hereby stipulate and agree to
extend the discovery cutoff by eighty-three (83) days, up to and including Thursday, December 9, 2021.

1 As with the Parties' Fifth Request, this Request is for the limited purpose of extending the deadline to
 2 allow the Court to rule on Plaintiff's pending motion to compel (Dkt. #54) filed on September 15, 2021.
 3 The motion to compel relates to the completion of the Fed. R. Civ. P. 30(b)(6) depositions. Currently, the
 4 Court has set the matter for hearing on November 18, 2021 (Dkt.#55), however, this date is not only after
 5 the close of discovery, but is after the current dates set for dispositive motions and the pre-trial order.
 6 Accordingly, the Parties request an extension of time to complete any items order by the Court at the
 7 November 18th hearing, and to be able to have all discovery matters resolved prior to the filing of
 8 dispositive motions and the pre-trial order.

9 This is the Parties' sixth request to extend the discovery cut-off deadline. The first was granted
 10 March 27, 2020 and was a result to the COVID-19. The second and third, granted June 29, 2020 and
 11 December 29, 2020, respectively, were necessary due to the illness and subsequent death of Plaintiff's
 12 daughter. The fourth stipulation was granted on July 2, 2021 and was necessary to locate the former
 13 employee with potential knowledge of the noticed topic and the fifth request was granted on July 23, 2021,
 14 to allow the Fed. R. Civ. P. 30(b)(6) depositions to be completed.

15 In accordance with L.R. 26-4(a)-(d), the parties provide the following information in support of
 16 this stipulation to extend discovery and other pretrial deadlines:

17 **(a) Discovery Completed**

18 The Parties have served their initial disclosures as well as supplemental disclosures. Defendant
 19 served its first set of written discovery to which Plaintiff has responded. Plaintiff served her first and
 20 second set of interrogatories, as well as her first, second, third, and fourth requests for production and first
 21 set of requests for admissions. All written discovery has been responded to by the Parties. The parties have
 22 completed Plaintiff's deposition, the depositions of two of Defendant's witnesses, and six out of eight
 23 topics pursuant to Plaintiff's Rule 30(b)(6) deposition notice.

24 **(b) Discovery That Remains To Be Completed**

25 Deposition on one topic (out of eight total topics) in Plaintiff's Rule 30(b)(6) deposition notice if
 26 the Court rules favorably on Plaintiff's pending motion to compel.

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1 (c) **Reasons Why The Deadline Was Not Satisfied Or The Remaining Discovery Was Not
2 Completed Within The Time Limits Set By The Discovery Plan**

3 The remaining topic in Plaintiff's Rule 30(b)(6) deposition notice was the subject of a deposition
4 taken on September 2, 2021. Plaintiff has subsequently filed a motion to compel alleging the deponent
5 was not properly prepared and thereby provided vague responses. The hearing on Plaintiff's motion to
6 compel is schedule to be heard on November 18, 2021. Federal Rule of Civil Procedure 6(b)(1) governs
7 extension of time and provides that "the court may, for good cause, extend the time... if a request is made,
8 before the original time or its extension expires." The Parties hereby stipulate and agree to continue or
9 extend the discovery for by eighty-three (83) days, up to and including Thursday, December 9, 2021, in
10 complete any further Rule 30(b)(6) deposition ordered by the Court.

11 (d) **Proposed Schedule for Completing All Remaining Discovery**

12 In accordance with LR 26-4(d), the Parties propose the following schedule for completing all
13 remaining discovery:

14 1. Discovery Cut-Off Date: Currently, Friday, September 17, 2021, proposed change to
15 **Thursday, December 9, 2021, for the limited purpose of completing the 30(b)(6) deposition if so
16 ordered by the Court.**

17 2. Dispositive Motion Date: Currently, Friday, October 15, 2021, proposed change to
18 **Monday, January 10, 2022.**

19 3. Pretrial Order Date: Currently, Friday, November 12, 2021, proposed change to **Thursday,**
20 **February 10, 2022.**

21 For the reasons set forth above, the Parties stipulate and agree to extend the discovery cutoff and
22 the other pretrial deadlines as detailed herein for the discovery cutoff by eighty-three (83) days, up to and
23 including Thursday, December 9, 2021, and neither Party will be prejudiced by the extension of the
24 deadlines above.

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1 Dated: September 29, 2021
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Respectfully submitted,

3 /s/Mary F. Chapman

4 MARY F. CHAPMAN, ESQ.
Law Office of Mary F. Chapman, Ltd.

5 Attorney for Plaintiff Donna Brower
6

Dated: September 29, 2021

Respectfully submitted,

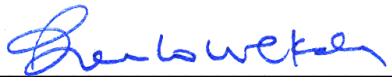
7 /s/ Alison Lungstrum Macneill

8 ALISON LUNGSTRUM MACNEILL, ESQ.
(Admitted Pro Hac Vice)
9 STACEY A. CAMPBELL, ESQ.
(Admitted Pro Hac Vice)
Campbell Litigation, P.C.

10 DUSTIN L. CLARK, ESQ.
11 Dustin L. Clark, Attorney at Law

12 Attorneys for Defendant McDonald's Corp.
13

14 IT IS SO ORDERED.
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16 
17 UNITED STATES MAGISTRATE JUDGE
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19 DATED: _____
20 October 5, 2021
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